

**IN THE CLAIMS**

1. (currently amended) An adjustable bone resection guide comprising:

- a. a first portion having ~~a surface adjacent a bone surface able~~adapted to be fixed with respect to ~~a said bone surface,~~ said first portion having a surface adapted to be located adjacent said bone surface and a plurality of bone fastener receiving apertures;
- b. a second portion rotably coupled to said first portion at a pivot point thereon, said second portion having a bone resection guide surface and a surface adapted to be located adjacent said bone surface; and,
- c. means for positioning said first and second portions at a relative angular position upon rotation of said second portion about said pivot point, said means for positioning being spaced apart from said pivot point; wherein said resection guide is used in guiding a bone resecting tool.

2. (currently amended) The adjustable bone resection guide of claim 1, further including ~~means~~at least one bone fastener for connecting said first portion to said bone surface.

3. (original) The adjustable bone resection guide of claim 2, wherein said second portion can be rotated without said first portion being removed from said bone surface while said first portion is connected to said bone surface.

4. (original) The adjustable bone resection guide of claim 1, wherein one of said first or second portions further comprises a recess and the other of said first or second

portions further comprises an arm, wherein said arm is received within said recess.

5. (original) The adjustable bone resection guide of claim 4, wherein said means for positioning said second portion with respect to said first portion includes a screw mounted to both the first and second portions.

6. (original) The adjustable bone resection guide of claim 5, wherein said arm further comprises at least one hole.

7. (original) The adjustable bone resection guide of claim 6, wherein said screw further comprises a dimple on a first end, wherein said dimple locks into one of said at least one hole on said arm.

8. (currently amended) The adjustable bone resection guide of claim 2, wherein said at least one bone fastener means for connecting said first portion to said bone surface includes at least one aperture located on said first portion is selected from the group consisting of pins, wires, screws and nails.

9. (currently amended) The adjustable bone resection guide of claim 8, wherein said means for connecting said first portion to said bone surface further includes at least one pin inserted through said at least one apertureguide includes a plurality of apertures and a plurality of bone fasteners in said apertures.

10. (original) The adjustable bone resection guide of claim 1, wherein said guide surface is formed by a slot for receiving a cutting tool.

11. (original) The adjustable bone resection guide of claim 1, wherein said adjustable bone resection guide is a tibial resection guide.

12. (original) The adjustable bone resection guide of claim 1, wherein angular movement of said second portion with respect to said first portion allows for varying varus/valgus angles.

13. (withdrawn)

14. (withdrawn)

15. (withdrawn)

16. (withdrawn)

17. (withdrawn)

18. (withdrawn)

19. (withdrawn)

20. (withdrawn)

21. (withdrawn)

22. (withdrawn)

23. (currently amended) A bone resection guide comprising:

a. a first portion having a surface adapted to be located adjacent a bone surface and a plurality of bone fastener receiving apertures;

b. a second portion having a bone resection guide surface and a surface adapted to be located adjacent said bone surface thereon, said second portion pivotably coupled to said first portion at a pivot point; and,

c. an angle adjustment element mounted on said first portion and engageable with said second portion, for setting the angular position of said second portion with respect to said first portion about said pivot point, said angle adjustment element being spaced apart from said pivot point; wherein said resection guide is used in guiding a bone resecting tool.

24. (original) The bone resection guide of claim 23, wherein said angle adjustment element further includes a locking element extending between said angle adjustment element and one of said first and second portions.

25. (original) The bone resection guide of claim 23, wherein said second portion further includes a slot thereon including said guide surface.

26. (original) The bone resection guide of claim 23, wherein said first portion is able to be fixed with respect to a bone surface.

27. (currently amended) The bone resection guide of claim 26, further including ~~means~~ a bone fastener for connecting said first portion to said bone surface.

28. (original) The bone resection guide of claim 27, wherein said second portion can be rotated without said first portion being removed from said bone surface while said first portion is connected to said bone surface.

29. (original) The bone resection guide of claim 23, wherein said angle adjustment element further comprises a recess on one of said first or second portions and an arm on the other of said first or second portions, wherein said arm is received within said recess.

30. (original) The bone resection guide of claim 29, wherein said angle adjustment element further comprises a screw mounted to both the first and second portions.

31. (original) The bone resection guide of claim 30, wherein said arm further comprises at least one hole.

32. (original) The bone resection guide of claim 31, wherein said screw further comprises a dimple on a first end, wherein said dimple locks into one of said at least one hole on said arm.

33. (currently amended) The bone resection guide of claim 27, wherein ~~said means for connecting said first portion to said bone surface includes at least one aperture located on said first portions~~ said bone fastener is selected from the group consisting of pins, wires, screws and nails.

34. (currently amended) The bone resection guide of claim 33, wherein ~~said means for connection said first portion to said bone surface further includes at least one pin inserted through said at least one apertures~~ said guide includes a plurality of apertures and a plurality of bone fasteners in said apertures.

35. (original) The bone resection guide of claim 23, wherein said bone resection guide is a tibial resection guide.

36. (original) The bone resection guide of claim 23, wherein said angular position of said second portion with respect to said first portion relates to a varus/valgus angle.

37. (currently amended) A bone resection guide comprising:

- a. a first portion having a first and second ends, ~~and a surface~~ adapted to be located adjacent a bone surface, and a plurality of bone fastener receiving apertures;
- b. a second portion having a bone resection guide surface and a surface adapted to be located adjacent said bone surface thereon, said second portion pivotably coupled to said first portion at a pivot point adjacent said first ends of said first and second portions; and,
- c. an angle adjustment element mounted on said second end of said first portion and engageable with said second portion, for setting the angular position of said second portion with respect to said first portion about said pivot point; wherein said resection guide is used in guiding a bone resecting tool.

38. (original) The bone resection guide of claim 37, wherein said angle adjustment element further includes a locking element extending between said angle adjustment element and one of said first and second portions.

39. (original) The bone resection guide of claim 37, wherein said second portion further includes a slot thereon including said guide surface.

40. (original) The bone resection guide of claim 37, wherein said first portion is able to be fixed with respect to a bone surface.

41. (currently amended) The bone resection guide of claim 40, further including ~~means~~ a bone fastener for connecting said first portion to said bone surface.

42. (original) The bone resection guide of claim 41, wherein said second portion can be rotated without said first portion being removed from said bone surface while said first portion is connected to said bone surface.

43. (original) The bone resection guide of claim 37, wherein said angle adjustment element further comprises a recess on one of said first or second portions and an arm on the other of said first or second portions, wherein said arm is receive within said recess.

44. (original) The bone resection guide of claim 43, wherein said angle adjustment element further comprises a screw mounted to both the first and second portions.

45. (original) The bone resection guide of claim 44, wherein said arm further comprises at least one hole.

46. (original) The bone resection guide of claim 45, wherein said screw further comprises a dimple on a first end, wherein said dimple locks into one of said at least one hole on said arm.

47. (currently amended) The bone resection guide of claim 41, wherein said ~~means for connecting said first portion to said bone surface~~ includes at least one aperture located on said first portion bone fastener is selected from the group consisting of pins, wires, screws and nails.

48. (currently amended) The bone resection guide of claim 47, wherein said ~~means for connection said first portion to said bone surface further includes at least one pin inserted through said at least one aperture~~guide includes a plurality of apertures and a plurality of bone fasteners in said apertures.

49. (original) The bone resection guide of claim 37, wherein said bone resection surface is planar.

50. (original) The bone resection guide of claim 49, wherein said first and second portions pivot about an axis extending parallel to said plane.

51. (original) The bone resection guide of claim 37, wherein said bone resection guide is a tibial resection guide.

52. (original) The bone resection guide of claim 37, wherein said angular position of said second portion with respect to said first portion relates to a varus/valgus angle.